

OCT 31 2012

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY
SMALL CLAIMS DEPARTMENT

PLAINTIFF(s):

Name Scott Williams

Name

Address P.O. Box 73City, State, Zip TRAIL OR 97541Telephone number 541-941-2241

(Inmate ID #, if applicable _____)

VS.

CASE NUMBER: "120026986S"

SMALL CLAIM AND
NOTICE OF SMALL CLAIM

DEFENDANT(s):

Name NCB Management Services INC

Name

Address One Allied DriveCity, State, Zip Treasure PA 19063Telephone number 1-800-828-1110 Ext 143☐ Defendant is a public body

Name (enter Registered Agent, if necessary, on next page)

Name

Address

City, State, Zip

Telephone number

I, Plaintiff, claim that on or about (date) 12/07/2011, the above-named defendants owed me the sum of \$ 1,000 because See Attached

, and this amount is still due.

Claim	\$ <u>1,000</u>
Fees	\$ <u>50</u>
Costs	\$ _____
TOTAL	\$ _____



120026986SCL

1. I obtained my consumer credit report from the three major credit reporting agencies and found entries by entities that I was unfamiliar with.
2. After examination of my TransUnion consumer credit report I found that Defendant NCB Management Services had obtained my TransUnion consumer credit report on December 7, 2011.
3. I am a consumer within the meaning of the Fair Credit Reporting Act, 15 U.S.C. § 1681a(c).
4. TransUnion is a credit reporting agency within the meaning of the FCRA, 15 U.S.C. § 1681a(f).
5. Consumer credit report is a consumer report within the meaning of the FCRA, 15 U.S.C. § 1681a(d).
6. The FCRA, 15 U.S.C. § 1681b defines the permissible purposes for which a person may obtain a consumer credit report.
7. Such permissible purposes as defined by 15 U.S.C. § 1681b are generally, if the consumer makes application for credit, makes application for employment, for underwriting of insurance involving the consumer, or is offered a bona fide offer of credit as a result of the inquiry.
8. I have never had any business dealings or any accounts with, made application for credit from, made application for employment with, applied for insurance from, or received a bona fide offer of credit from the Defendant NCB Management Services.
9. I sent notice to NCB Management Services of their violations of the FCRA. This was in an effort to reach a settlement for their violations in obtaining my credit report before taking civil action against them.
10. At no time did I give my consent for Defendant to acquire my credit report from any credit reporting agency.
11. The Defendant had a duty to properly ascertain if there was any legitimate permissible purpose before obtaining my credit report and Defendant breached said duty by failing to do so.
12. I demand judgement for damages against Defendant, NCB Management Services, for statutory damages of \$1,000.00, any attorney's fees and costs pursuant to 15 U.S.C. § 1681n.

DECLARATION OF BONA FIDE EFFORT

I, Plaintiff, have made a bona fide effort to collect this claim from the defendants before filing this claim with the court clerk.

I hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use in court and I am subject to penalty for perjury.

10/29/2012
Date

Scott Williams
Plaintiff Signature

Scott Williams
Plaintiff Name (print)

DEFENDANT'S REGISTERED AGENT:

Kenneth Anderson
Name

1737 N.E. Broadway
Address

Portland OR 97232
City / State / Zip

503-288-5823
Telephone number

NOTICE TO DEFENDANT:
READ THESE PAPERS CAREFULLY!

Within **14 DAYS*** after receiving this notice you **MUST** do **ONE** of the following things in writing, **UNLESS** there is a Small Claims Agreement between you and the plaintiff filed with the court:

- ☐ Pay the claim plus filing fees and service expenses paid by plaintiff (send payment directly to the plaintiff, not to the court) **OR**
- ☐ Demand a hearing and pay the fee required (below) **OR**
- ☐ Demand a jury trial and pay the fee required (below). This option is available **only** if amount claimed is more than \$750.

If you fail to do one of the above within **14 DAYS*** after you get this notice, the plaintiff may ask the court to enter a judgment against you. The judgment will be for the amount of the claim, plus filing fees and service costs paid by the plaintiff, plus a prevailing party fee. If you are not able to respond in time because you are in active military service of the United States, talk to a legal advisor about the Servicemembers Civil Relief Act.

JACKSON COUNTY CIRCUIT COURT
 100 S. OAKDALE AVE. MEDFORD,
 OR 97501

Defendant's Filing Fees (*must be filled in by the PLAINTIFF*):

- (1) To demand a hearing if the amount claimed is \$2,500 or less \$ 50
- (2) To demand a hearing if the amount claimed is more than \$2,500 \$ 90
- (3) To demand a jury trial (only if amount claimed is over \$750)--- \$ 150

If you have questions about filing procedures, go to www.courts.oregon.gov for information and instructions, or you may contact the court clerk. The clerk *cannot* give you legal advice about the claim.

***NOTE:** If the plaintiff is an inmate (ORS 30.642) AND the defendant is a government agency or other public body (ORS 30.260), the defendant must respond within **30 days** after receiving this Notice.

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY
SMALL CLAIMS DEPARTMENT

Scott Williams

Plaintiff(s)

vs.

NCB Management
Services LLC

Defendant(s)

"120026986S"

CASE NUMBER:

DEFENDANT'S RESPONSE

EACH Defendant must file a separate response (spouses and Registered Domestic Partners may file a joint response)☐ **PAYMENT OF CLAIM:**

Proof of payment (including fees and costs) to Plaintiff is attached (or proof that the requested property was returned to Plaintiff).

Total Amount Paid: \$ _____ (or) Describe property and method of return: _____

☐ **DENIAL OF CLAIM:**I deny the plaintiff's claim and demand a ☐ hearing {or} ☐ jury trial*

* The claim must be for more than \$750 (without fees & costs) to request a jury trial.

☐ **COUNTERCLAIM:**

I make the following counterclaim* against the plaintiff for \$ _____.

*Counterclaims must arise out of the same transaction or event as the plaintiff's claim.

I, Defendant, claim that on or about (date) _____, the above-named plaintiff owed me the amount claimed because _____

_____, and
this amount is still due. If the amount is the value of property that you believe should be given to you, describe the property: _____

Date: _____

Name (Print) _____

Address _____

City/State/ZIP _____

Phone _____